

**SUPREME COURT MINUTES
TUESDAY, DECEMBER 12, 2000
SAN FRANCISCO, CALIFORNIA**

S022173 People, Respondent

v.

Clifford Stanley Bolden, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including February 20, 2001.

No further extensions of time are contemplated.

S026872 People, Respondent

v.

Alfredo Reyes Valdez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including January 8, 2001.

S032832 People, Respondent

v.

Omar Fuentes Martinez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 5, 2001.

No further extensions of time will be granted.

S033436 People, Respondent

v.

Albert Lewis and Anthony Cedric Oliver, Appellants

On application of appellant ALBERT LEWIS and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 9, 2001.

S040575 People, Respondent

v.

Delaney Geral Mark, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 22, 2000.

No further extensions of time are contemplated.

S047056 People, Respondent

v.

Ignacio Arriola Tafoya, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 29, 2000.

S048337 People, Respondent

v.

Regis Deon Thomas, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including February 5, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S049741 People, Respondent

v.

William Lester Suff, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including February 9, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S067491 In re Ronald Harold Seaton

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including January 3, 2001.

S086220 People, Respondent

v.

Joe Buckhalter, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including December 26, 2000.

S086611 People, Respondent

v.

James Allen Mar, Appellant

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file respondent's answer brief on the merits is extended to and including January 10, 2001.

S087490 In re Martin Kipp

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including January 22, 2001.

S090730 In re Sayrah R., a Person Coming Under the Juvenile Court Law

Orange County Social Services Agency, Petitioner

v.

Renee J., Mother of the Minor Child

Orange County Superior Court, Respondent

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's answer brief on the merits is extended to and including December 29, 2000.

S090730 In re Sayrah R., a Person Coming Under the Juvenile Court Law

Orange County Social Services Agency, Petitioner

v.

Renee J., Mother of the Minor Child

Orange County Superior Court, Respondent

On application of minor, Sayra R., and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including December 29, 2000.

S090791 People, Respondent

v.

Willie R. Mitchell, Appellant

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file respondent's opening brief on the merits is extended to and including December 31, 2000.

S091549 Russell Nordyke, Plaintiff-Appellant

v.

Mary King, Defendant-Appellant

On application of appellant Nordyke and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including January 31, 2001.

S093448 Mario R. Stevens, Petitioner

v.

San Bernardino County Superior Court, Respondent
City of San Bernardino, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S093521 Darrell Vincent White, Petitioner

v.

Madera County Superior Court, Respondent
People, Real Party in Interest

The above entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

4th Dist. Transfer Orders

The following matters, now pending in the Court of Appeal, Fourth Appellate District, Division Three, are transferred to the Fourth Appellate District, Division One.

G022857 Hatem Hajali v. John Nguyen
G023409 Lina Ann Berry v. James F. Corbett
G024079 Visionshape Inc. v. Kofax Image Products, Inc.
G023999 Phillip Cutler v. Coast Community College District
G023479 Foresight Capital Management Inc. v. Nancy White
G023367 Stephen E. Turner v. Laservision Productions, Inc.
G024914 Premium Commercial Svcs. Corp. v. First Financial
 Ins. Co.
G023031 John R. Jensen v. Koll Center Newport A.
G024851 James Black v. City of Huntington Beach
G024920 GMAC Mortgage of Iowa v. Brooksamerica
 Mortgage Corp.
G022930 Darwin Richards v. Wild Rivers; The Splash
G024152 Resources Warehousing & Consolidation Svcs.
 of California v. Marc R. Tow
G022913 David Shores v. State Farm Fire and Casualty
G024815 American Realty & Financial Svcs. Co. of California
 v. Arciero & Sons, Inc.
G022366 Judith Mason v. Reid Tool Supply Company, Inc.

S054774 People, Respondent

v.

Keith Desmond Taylor, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Keith Desmond Taylor for the direct appeal in the above automatic appeal now pending in this court.

S056891 People, Respondent

v.

James Alvin Thompson, Appellant

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant James Alvin Thompson for the direct appeal in the above automatic appeal now pending in this court.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S091931

In re **Ernest F. Ching, Jr.** on Discipline

It is ordered that **Ernest F. Ching, Jr., State Bar No. 74253**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed July 14, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2001 and 2002.

S091932

In re **David Reed Dowell** on Discipline

It is ordered that **David Reed Dowell, State Bar No. 55145**, be actually suspended from the practice of law for six months and that he attend State Bar Ethics School or a similar school/course as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 3, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs shall be added to

and become part of the membership fees for the years 2002 and 2003. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S091934 In re **Kenneth G. Eade** on Discipline

It is ordered that **Kenneth G. Eade, State Bar No. 93774**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed filed on August 16, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in equal installments for membership years 2001 and 2002.

S091936 In re **Anthony Celestine Fischer** on Discipline

It is ordered that **Anthony Celestine Fischer, State Bar No. 55260**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed August 11, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S092009 In re **Suzanne Louise Harris** on Discipline

It is ordered that **Suzanne Louise Harris, State Bar No. 45303**, be suspended from the practice of law for five years and until she provides the showing required pursuant to standard 1.4(c)(ii) and until she makes restitution and furnishes satisfactory proof thereof as set forth below, that execution of the suspension be stayed, and that

she be placed on probation for five years on condition that she be actually suspended for 18 months and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct and until she makes restitution to Michelle Fierro (or the Client Security Fund, if appropriate) in the amount of \$2,000.00, plus 10% interest per annum from March 18, 1993, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. She is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 15, 2000. It is also ordered that she take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2002, 2003 and 2004. (Bus. & Prof. Code section 6086.10.)

S092013 In re **Thomas C. Loffarelli** on Discipline

It is ordered that **Thomas C. Loffarelli, State Bar No. 159724**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on July 18, 2000. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in equal installments for membership years 2001, 2002 and 2003.

S092015 In re **Mark Randal Povraznik** on Discipline

It is ordered that **Mark Randal Povraznik, State Bar No. 153629**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for one year and until he makes restitution to Barbara McGuiness (or the Client

Security Fund, if appropriate) in the amount of \$1,000.00, plus 10% interest per annum from January 5, 1996; to Barbara Griffen (or the Client Security Fund, if appropriate) in the amount of \$2,250.00, plus 10% interest per annum from January 5, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. If he is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. **Mark Randal Povraznik** is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on August 8, 2000. He is further ordered that comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-quarter of said costs shall be added to and become part of the membership fees for the years 2001, 2002, 2003 and 2004. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S092072 In re **Gary Kenneth Green** on Discipline

It is hereby ordered that **Gary Kenneth Green, State Bar No. 50644**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S093384 In the Matter of the Resignation of **David J. Edlow**
A Member of the State Bar of California

The voluntary resignation of **David J. Edlow, State Bar No. 160199**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the

California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

110660-00 THE HONORABLE THOMAS A. HARRIS, Associate Justice of the Court of Appeal, Fifth Appellate District, is hereby assigned to assist the Supreme Court of California, as a justice thereof, on December 12, 2000, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: December 12, 2000

Stanley Mosk
Acting Chief Justice of California and
Chairperson of the Judicial Council